

State Revolving Loan Fund

Drinking Water

SRF

*South Carolina's
Intended Use Plan
for
Fiscal Year 2003*

**May 2003
Final**



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Attachment List of Selected Projects for Funding

I. Introduction

The federal Safe Drinking Water Act (SDWA) amendments of 1996 authorized a Drinking Water State Revolving Fund (DWSRF) to assist public water systems to finance the cost of infrastructure needed to achieve or maintain compliance with the SDWA. Section 1452 of the SDWA authorizes the Administrator of the US Environmental Protection Agency (EPA) to award capitalization grants to states for the purpose of establishing a low interest loan program and other types of assistance to eligible water systems.

The South Carolina Department of Health and Environmental Control (DHEC) has primary enforcement responsibility (i.e., primacy) for carrying out the provisions of the SDWA. DHEC is the designated state agency to apply for and administer the capitalization grant for the DWSRF. The State Budget and Control Board (BCB), Office of Local Government conducts the financial functions of the DWSRF and makes loans to project sponsors. South Carolina's allotment of the DWSRF funds appropriated by Congress for Fiscal Year 2003 (FY 2003) is \$8,004,100.

Section 1452(b) of the SDWA requires that an Intended Use Plan (IUP) be developed, reviewed by the public and submitted as part of the state's grant application package to EPA. The main purpose of the IUP is to describe how the state intends to use the funds in the DWSRF for the year and how those uses support the objectives of the SDWA in the protection of public health. Beginning with the IUP for this fiscal year, in addition to the usual annual adjustments, the following notable changes will be reflected:

- The Drinking Water Priority Ranking System will no longer be described in the IUP, but will exist as a separate document (see Section IV.A.);
- Affordability criteria will be updated to reflect the 2000 census. These changes affect both the IUP (See Section V.) and the Priority Ranking System; and
- A new Capacity Development interest rate is introduced. This incentive rate applies to both the Drinking Water (see Section VI.I.) and Clean Water SRF programs.

II. Short and Long Term Goals

South Carolina has identified several short and long term goals to guide development of the DWSRF program and ensure maximum public health benefits.

A. Short Term Goals

1. Continue attempts to increase participation of small water systems in the SRF loan program.
2. Under the State's EPA-approved Capacity Development Strategy, continue to assist the State permitting program with a goal of full issuance of operating permits for all water systems by June 30, 2004.
3. Continue delineation of source water protection areas of South Carolina and determination of the susceptibility of public water systems to contamination
4. On an annual basis, increase the number of surface water treatment plants achieving the optimized performance goals of the State's Area-Wide Optimization Program. For more information concerning this program, go to www.cdwo.org.

B. Long Term Goals

1. Maintain the fiscal integrity of the DWSRF and preserve the corpus of the fund to ensure continued growth of funding in perpetuity.
2. Enhance the viability of public water systems through continued implementation of the State's capacity development authority.

III. Eligible Project Sponsors

An eligible DWSRF project sponsor means a county, municipality, special purpose district, commissioners of public works, or nonprofit corporation established under Title 33, Chapter 35 of the Code of Laws of South Carolina.

IV. Project Selection

The state must develop a [comprehensive priority list](#) of projects and identify those projects expected to receive funding from the FY 2003 capitalization grant (selected projects). The comprehensive list must include a description of the project, priority assigned to each project, expected terms of financial assistance, and the population served by the system. Only those projects on the comprehensive list of projects may be considered for a loan under the DWSRF program.

A. Priority Ranking System

Section 1452(b)(3) of the SDWA requires that the IUP, to the maximum extent practicable, give priority for use of the DWSRF to projects that:

- Address the most serious risk to human health;
- Are necessary to ensure compliance with the requirements of the Safe Drinking Water Act; and,
- Assist systems most in need on a per-household basis according to state affordability criteria.

As noted in the Introduction, as of FY 2003, the Drinking Water SRF Priority Ranking System (DWPRS) is no longer described in the Intended Use Plan, but is maintained as a separately standing document. To view or download the DWPRS, go to www.scdhec.net/water/html/srf.html and follow appropriate prompts.

B. Developing and Updating the State's Comprehensive Priority List of Projects

In order for a project to be considered for funding from the DWSRF, it must appear on the State's [comprehensive priority list](#) of projects. To be included in this list, an eligible project sponsor must complete a [project questionnaire](#) supplied by DHEC. An eligible project sponsor means a county, municipality, special purpose district or nonprofit corporation established under Title 33, Chapter 35 of the Code of Laws of South Carolina. A project sponsor may submit a completed questionnaire to the SRF Section of DHEC's Bureau of Water at any time. Once the questionnaire is received, DHEC staff will evaluate the project based on the ranking system described above. If eligible, the project will be added to the comprehensive priority list of projects, which is maintained in updated form by DHEC on its website. To view or download the project questionnaire or the comprehensive priority list, go to www.scdhec.net/water/html/srf.html and follow appropriate prompts

C. Selecting Projects for Funding

Included in this Intended Use Plan as the Attachment, *List of Selected Projects for Funding*, are DWSRF projects selected from the comprehensive priority list for funding during the next year. Notice will be given to the public that this draft IUP is available for review and comment for a period of at least 30 days. Once the comment period has ended, DHEC will review any comments received and make changes as appropriate. Refer to Section III (J) for public participation procedures, and to Section V (F) for the amount of funds available for listed projects.

Final funding decisions will be based upon a detailed financial review of each completed loan application. Actual projects funded and the actual amount of loan assistance may vary, since detailed technical and financial information is not available at the time of the development of this plan.

D. Eligible Projects

1. Compliance and Public Health

According to Section 1452(a)(2) of the SDWA, the DWSRF may only provide assistance for expenditures (not including monitoring, operation and maintenance expenditures) of a type or category which will facilitate compliance with national primary drinking water regulations applicable to the system under section 1412 or otherwise significantly further the health protection objectives of the Act.

Projects to address SDWA health standards that have been exceeded or to prevent future violations of the rules are eligible for funding. These include projects to maintain compliance with existing regulations for contaminants with acute health effects (i.e., the Surface Water Treatment Rule, the Total Coliform Rule, and nitrate standard) and regulations for contaminants with chronic health effects (i.e., Lead and Copper Rule, Phases I, II, and V rules, total trihalomethanes, etc.)

Projects to replace aging infrastructure are also eligible if they are needed to maintain compliance or further the public health protection goals of the Act. Examples of these include projects to:

- Rehabilitate or develop sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources;
- Install or upgrade treatment facilities, if the project would improve the quality of drinking water to comply with primary or secondary standards;
- Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system; and,
- Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or improve water pressure to safe levels.

Projects to consolidate water supplies-or example, when individual homes or a public water supply is contaminated, or the system is unable to maintain compliance for financial or managerial reasons-re eligible for DWSRF assistance.

2. Land acquisition

Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection. In this instance, land that is integral to a project is only the land needed to locate eligible treatment or distribution projects. In addition, the acquisition must be from a willing seller.

3. Planning and design of a drinking water project

The DWSRF may provide assistance for the costs of project planning and design (e.g., costs for consulting engineering services) as a component of a loan for construction.

4. Phasing of a drinking water project

To make construction and/or funding more manageable, a project may be divided into separately-funded phases or segments, at the option of the sponsor. However, to be DWSRF-eligible, any such phase or segment must be of reasonable size and scope; must feasibly address a water quality, public health or compliance deficiency; and, when constructed, must have the capability of being placed into immediate full operation, i.e., without its full operation being dependent on a subsequent project phase or segment or other outside operation yet to be completed. After a given project phase is funded, subsequent phases must stand separately in competing with other projects for priority list ranking in later fiscal years.

5. Restructuring of systems that are in noncompliance or that lack the technical, managerial and financial capability to maintain the system

The DWSRF may provide assistance to an eligible public water system to consolidate/connect with another public water system(s) only if the assistance will ensure that the system returns to and maintains compliance with SDWA requirements (section 1452(a)(3)(B) of the SDWA).

If the system does not have the technical, managerial, and/or financial capability to ensure compliance, or is in significant noncompliance, the system may receive assistance only if (1) the assistance will ensure compliance, or (2) the owner or operator of the system agrees to undertake appropriate changes in operations. These changes include consolidation or management changes that will ensure that the system has the technical, managerial, and financial capability to ensure and maintain compliance with SDWA requirements. DHEC may require the submission of a business plan as part of the preliminary engineering report for a project.

E. Projects Not Eligible for Funding

The DWSRF will not provide funding assistance for the following projects and activities:

- Dams, or rehabilitation of dams;
- Reservoirs, except for finished water reservoirs and those reservoirs that are part of the treatment process and are located on the property where the treatment facility is located;
- Laboratory fees for monitoring;
- Operation and maintenance expenses;
- Projects needed mainly for fire protection;

- Projects for systems that lack adequate technical, managerial and financial capability, unless assistance will ensure compliance;
- Projects for systems in significant noncompliance, unless funding will ensure compliance;
- Projects primarily intended to serve future growth;
- Refinancing of existing debt;
- Purchase price of another water system; and,
- Projects that would not result in the consolidation or regionalization of water systems when consolidation or regionalization is the most feasible alternative.

1. Lack of technical, managerial and financial capability

The DWSRF may not provide any type of assistance to a system that lacks the technical, managerial or financial capability to maintain SDWA compliance, unless the owner or operator of the system agrees to undertake feasible and appropriate changes in operation or if the use of the financial assistance from the DWSRF will ensure compliance over the long-term (section 1452(a)(3)(B)(I) of the SDWA).

2. Significant noncompliance

The DWSRF may not provide assistance to any system that is in significant noncompliance with any national drinking water regulation or variance unless the State conducts a review and determines that the project will enable the system to return to compliance and the system will maintain an adequate level of technical, managerial and financial capability to maintain compliance (section 1452(a)(3)(B)(I) of the SDWA).

3. Growth

The DWSRF cannot provide assistance to finance the expansion of any drinking water system solely in anticipation of future population growth (section 1452(g)(3)(C) of the SDWA). However, assistance may be provided to address population growth expected to occur over the useful life of the facility to be funded. In determining whether or not a project is eligible for assistance, DHEC will determine the primary purpose of the project. If the primary purpose is to supply or attract growth, the project is not eligible to receive DWSRF funds. If the primary purpose is to solve a compliance or public health problem, the entire project, including the portion necessary to accommodate a reasonable amount of growth over its useful life, is eligible.

F. Loan Applications

The Budget and Control Board will accept loan applications each fiscal year from October 1 through June 30. The issuance of a DHEC Permit to Construct, as a DWSRF project, is required for a complete loan application.

G. Bypass Procedure

In accordance with Section 1452(a)(2) of the SDWA, at least 15% of DWSRF must be used for assisting small water systems (systems serving <10,000 population). DHEC may bypass projects on the comprehensive priority list in order to comply with this requirement. DHEC may, in cases of an environmental emergency, (e.g., flood, hurricane) or in the case of an imminent hazard to public health (in accordance with section 44-55-60 of the South Carolina Code of Laws, as amended), add a project to the comprehensive priority list during the year without further public notice of the list.

H. Public Participation in the Development of the IUP

A Notice of Availability was mailed to all DWSRF-eligible water systems, and a number of other interested parties. In addition, a public notice of availability of the IUP was published on Sunday, April 20, 2003 in *The State*, *The Greenville News*, *The Post and Courier*, and the *Sun News* (daily newspapers). The notices cover this draft IUP, as well as the other changes outlined in the Introduction above. The public notice and draft FY 2003 IUP were posted on the Department's Internet web site at <http://www.scdhec.net/water/html/srf.html>. Interested parties were invited to review and submit written comments by May 20, 2003. No comments were received.

V. Disadvantaged Community Systems

Projects will normally be funded at the standard interest rate for a maximum term of 20 years; however, loan applicants which are considered disadvantaged community systems may be offered loans at even more favorable terms. Loan terms and conditions will be determined after DHEC has approved construction plans and specifications and the BCB has completed review of the financial loan application.

Disadvantaged community systems, subdivided into two levels, are public water systems which meet affordability criteria that are based on the 2000 median household income (MHI) of the water system's entire service area and on the level of the current or proposed user charge.

A. Level 1 Disadvantaged Community System

To qualify as a Level 1 Disadvantaged Community System, the MHI for the applicant's service area must be less than \$37,082 (the State MHI). If the applicant meets this criterion, the term of the loan may be extended up to 30 years (not to exceed the project's useful life), and the project would be funded at the standard interest rate.

B. Level 2 Disadvantaged Community System

To qualify as a Level 2 Disadvantaged Community System, the applicant must first meet the above Level 1 criterion. In addition, the project must necessitate a rate increase which would result in a user charge higher than the target user charge. Target user charge is defined as the annual residential user charge for water, based on 6,000 gallons per month, equal to at least 1.10% of the applicant's MHI.

If an applicant qualifies as a Level 2 Disadvantaged Community System, the loan term must first be extended to the project's maximum useful life, up to 30 years. If, after such term extension, user charge rates are still deemed unaffordable, then the interest rate will be reduced incrementally, as needed, to a minimum of 0%. Affordability determinations for establishing the appropriate interest rate for a specific project will be made by the BCB based on an evaluation of user charge rates, income levels, comparable providers and other relevant factors. If a project is still considered unaffordable after the maximum available interest rate subsidy, assistance will be provided in locating other potential funding sources that may be packaged with a loan.

VI. Distribution of Funds

A. Amount of Capitalization Grant for FY 2003

South Carolina's allotment of the DWSRF funds appropriated by Congress for Fiscal Year 2003 is expected to be \$8,004,100.

B. State 20% Match Requirement

One condition of receiving the allotment is that the state must deposit in the DWSRF an amount equal to at least 20% of the total amount of the capitalization grant. South Carolina will deposit \$1,600,820 in the DWSRF.

C. Set-Aside for Administration of the DWSRF Program

The SDWA allows states to set aside a portion of the capitalization grant for the purpose of administering the program and a variety of other non-project activities. DHEC proposes to set aside 4% (\$320,164) of the grant for use in program management, including hiring staff, paying operational expenses and providing technical assistance to potential loan applicants.

D. Set-Aside for Technical Assistance for Small Systems

In the FY 1999 Intended Use Plan DHEC "banked" the authority to use \$160,766 from future capitalization grants for funding a technical assistance program for small water systems serving populations of less than 10,000 people. In May of 2000, DHEC retained the services of Force & Associates, Inc., a private consulting firm, to assist small water systems in preparing business plans. DHEC will set aside, from the FY 2003 SRF capitalization grant, the amount "banked" in the FY 1999 IUP (\$160,766), to fund the technical assistance contract the Department has with Force and Associates, Inc., now in its fourth year.

In addition, DHEC will set aside 2% of the FY 2003 SRF Capitalization Grant (\$160,082) to fund small system technical assistance activities performed by DHEC staff.

E. Set-Aside for Source Water Protection

Delineation, source inventories, and contaminant susceptibility determinations begun under the FY 1997 capitalization grant set-aside are not yet complete. Therefore, DHEC will set aside \$170,000 from this capitalization grant to continue implementation of the state's Source Water Protection Program activities. As required, the State will match this set-aside dollar for dollar.

F. Funds Currently Available in the DWSRF

As of March 31, 2003, the funds available in the DWSRF for making low-interest loans are:

Funds Remaining from FY 2001 & 2002 Capitalization Grants	\$14,105,696
Investment Earnings	87,372
Repayments	<u>3,955,348</u>
	\$18,148,416

G. Total Funds Available for Loans for the Next Year

FY 2003 Capitalization Grant less set-asides	\$7,193,088
FY 2003 state matching funds	1,600,820
<u>Funds Currently Available in the SRF</u>	<u>18,148,416</u>
Total Funds Available	\$26,942,324

H. Standard Interest Rate

The standard interest rate is typically 30% - 33% below an average of the bondbuyer 25 index, but the actual interest rate will be established annually by the BCB prior to September 30th of each year.

I. Capacity Development Rate—1.5 percentage points below Standard Rate

To facilitate the implementation of South Carolina's Capacity Development Strategy, the SRF Program offers a special incentive interest rate to encourage viable water systems to assume ownership and operation of abandoned community water systems. The capacity development

rate, which is a fixed rate for the term of the loan, is only available to a project sponsor that assumes legal ownership of an abandoned community water system that has been officially declared an imminent health hazard by DHEC's Commissioner. Such rate applies to the cost of replacing or upgrading infrastructure necessary to insure compliance with the Safe Drinking Water Act, but only that portion of costs directly attributable to serving the existing population is eligible for this interest rate.

For more information on the State's Capacity Development Strategy, visit the Department's web site at <http://www.scdhec.net/water/html/capacitydev.html>.

J. Maximum Loan to an Individual Project

In general, projects will not be subject to a loan maximum. However, in order to meet commitments for funding small systems, DHEC may adjust certain loan amounts to provide for such projects, depending upon which projects are ready to proceed.

SOUTH CAROLINA LIST OF DWSRF SELECTED PROJECTS

					Ranking	
	SPONSOR	DHEC PROJECT #	ESTIMATED SRF LOAN AMOUNT	PROJECT DESCRIPTION	Total Points	Is the sponsor ready to proceed with the project? (yes/no)
1	York County	SRF-4620003-01	\$1,100,000	York Co/West water storage tank to adequately meet existing demand	90	YES
2	York County	SRF-4620003-02	\$2,420,000	York Co/West - replace low pressure class water line which is subject to failure because pressure exceeds pressure rating of pipe.	90	YES
3	McCormick CPW Distribution System Improvements	SRF-3510001-02	\$198,000	Distribution System Improvement - Replace old cast iron water line & loop system to resolve secondary water quality & pressure problems. Possibly 2004	90	NO
4	Westminster CPW Treatment Plant Upgrade	SRF-3710003-01	\$1,057,630	Surface Water Treatment Plant Improvements on-site raw water reservoir needed to adequately treat surfact water.	85	YES
5	Valley Public Service Authority	SRF-0220012-01	\$1,693,000	Water Sys Impr-Elevated storage tank and upgrade of distribution lines to meet water capacity and; alleviate low pressure prob.	85	YES
6	Ware Shoals, Town of Elevated Tank & System Improvements	SRF-2410003-01	\$680,000	Elevated Tank and System Improvements - Elevated tank, booster pump and line improvements to alleviate low pressure.	85	YES
7	City of Dillon Well, Elevated Tank, & Treatment	SRF-1710001-01	\$1,380,000	700 GPM Well, .5 MG elevated tank & water treatment facility	85	NO
8	York County	SRF-4620002-01	\$2,200,000	York County East/New Elevated Storage Tank to meet existing peak daily demand	85	NO
9	Town of Salem Storage Tank	SRF-3710001-01	\$200,000	Ground Storage tank to preserve adequate pressure; currents taps exceed allowable taps.	45	NO
10	Beaufort-Jasper WSA Distribution line Replacement	SRF-0720003-07	\$1,000,000	Replace cast iron distribution line to reduce iron level and improve water quality	40	YES
11	McCormick CPW Elevated Water Tank Replacement	SRF-3510001-04	\$597,500	Elevated Water Tank Replacement - Replace aging elevated water tank - Possibly 2004	40	NO
12	Fairfax, Town of New Well	SRF-0310004-01	\$200,000	New Well - to replace aging well	40	NO
13	Kershaw, Town of Downtown Water Line Replacement	SRF-2910003-01	\$67,000	Replacement of aging water lines (50+ years)	40	NO
14	Seabrook Island 20" Transmission Main	SRF-1010009-01	\$750,000	8000 LF of 20" transmission main to improve connection to St. Johns Water Co.	35	YES
15	Town of Lexington Hendrix St & Hite's Tanks/Connector Mains	SRF-3020001-02	\$2,341,842	Hendrix St tank construction, 12" water mains, Hite's Tank improvements.	35	YES
16	Fort Mill, Town of	SRF-4610003-01	\$670,000	7,000 LF of transmission main to improve connection to Tega Cay, and 4,000 LF of main to supply a 750,000 elevated storage tank.	35	YES
17	Beech Island RCWD Storm Branch Road Storage Tank	SRF-0220004-02	\$281,161	Storm Branch Road Storage Tank - construct tank to alleviate capacity needs - Looking for grant money (11/21/02)	35	YES
18	Fripp Island PSD Harbor River Crossing	SRF-0720002-01	\$450,000	Harbor River Crossing - Replacement of aging subaqueous river crossing	35	NO
19	Greer CPW Lake Cunningham Intake Improvements	SRF-2310005-03	\$442,000	Dredging at Lake Intake	30	YES
20	Greer CPW Water Treatment Plant Upgrade	SRF-2310005-02	\$5,544,300	Upgrade 16 MGD to 20 MGD by hi-rating WTP and performing modification	30	YES
21	Lugoff-Elgin WA Alum Sludge Handling Facilities	SRF-2820001-08	\$750,000	New Alum Sludge Handling Facilities - Replace the existing sludge pond which is not adequate to handle the sludge generated by the plant.	30	NO
22	Lugoff-Elgin WA Treatment Plant Improvements	SRF-2820001-09	\$3,500,000	Lake Wateree Treatment Plant Improvements - Upgrade of facilities to meet system demand and comply with THMs and other regulations.	30	NO

SOUTH CAROLINA LIST OF DWSRF SELECTED PROJECTS

					Ranking	
	SPONSOR	DHEC PROJECT #	ESTIMATED SRF LOAN AMOUNT	PROJECT DESCRIPTION	Total Points	Is the sponsor ready to proceed with the project? (yes/no)
23	BJ WSA Port Royal/Lady Island Connection	SRF-0720003-11	\$800,000	Port Royal to Lady Island Water Connnection - Needed to improve water quality by connecting dead end lines to improve flow	30	NO
24	BJ WSA Replacement of Asbestos Water Line	SRF-0720003-09	\$170,000	Replacement of aging asbestos water line	30	NO
25	BJ WSA Cat/Lady Island to St. Helena Connection	SRF-0720003-12	\$1,565,000	Cat/Lady Island to St. Helena Island Water Connection - Needed to improve water quality by connecting dead end lines to improve flow	30	NO
26	SJWD Water District Fairforest Water Main Upgrade - Phase I	SRF-4220006-04	\$230,000	Fairforest Water Main Upgrade (Ph. I) Replace or rehab existing mains whose deteriorated condition threatens system reliability & quality.	30	NO
27	SJWD Water District Fairforest Water Main Upgrade - Phase II	SRF-4220006-05	\$375,000	Fairforest Water Main Upgrade (Ph. II) Replace or rehab existing mains whose deteriorated condition threatens system reliability & quality.	30	NO
28	Walterboro, City of Transmission Loop	SRF-1510004-01	\$350,000	Transmission Loop - To improve flow and pressure to provide reliable supply	30	NO
29	Lancaster, City of Water main replacement	SRF-2910001-01	\$750,000	Replace aging water mains to improve pressure and water quality	30	NO
30	Woodruff- Roebuck WD Roebuck water tank	SRF-4220007-01	\$600,000	Construct (Roebuck)water tank to meet additional storage needs.	30	NO

\$32,362,433